

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST LABORERS-EMPLOYERS
HEALTH & SECURITY TRUST, et al.

Plaintiffs

v.

RG CONSTRUCTION, INC.

Defendant

NO. CV19-1321 MLP

STIPULATION AND
ORDER OF JUDGMENT

Clerk's Action Required

STIPULATION

Defendant RG Construction, Inc., stipulates to Judgment in favor of Northwest Laborers-
Employers Health & Security Trust, Western Washington Laborers-Employers Pension Trust,
and Northwest Laborers-Employers Training Trust (Trust Funds) and Washington and Northern
Idaho District Council Of Laborers (Union) and stipulates that the Court may enter Judgment as
follows:

1. Judgment Creditor:	Northwest Laborers-Employers Trusts
2. Judgment Debtor:	RG Construction, Inc.
3. Principal Judgment Amount:	\$38,648.62
4. Liquidated Damages:	\$28,658.98
5. Interest:	\$6,984.12
6. Costs:	\$610.00
7. Attorney's Fees	\$1,000.00
8. Post-Judgment Interest:	1.53 percent per annum
9. Attorney for Judgment Creditor:	Mary L. Stoll, WSBA No. 16446
10. Attorney for Judgment Debtor:	C. Scott Kee, WSBA No. 28173

1 Defendant RG Construction, Inc. hereby stipulates to Judgment in favor of Plaintiff Trust
2 Funds and Union in the amount of \$74,291.72, which amount consists of fringe benefits
3 contributions and wage deductions in the amount of \$38,648.62 for the period April 2018
4 through December 2019, liquidated damages in the amount of \$28,658.98 and interest in the
5 amount of \$6,984.12 for the period February 2016 through December 2019, costs in the amount
6 of \$610.00, and attorney fees in the amount of \$1,000.00, and hereby authorizes the Court to
7 enter Judgment against Defendant RG Construction, Inc., and in favor of Plaintiff Trust Funds
8 and Union, without further notice or opportunity to be heard. This Stipulation is for money
9 justly due and owing to Plaintiffs arising out of that certain labor agreement between Defendant
10 RG Construction, Inc. and Plaintiff Washington and Northern Idaho District Council of Laborers
11 and its Affiliated Unions, which contract requires the payment of fringe benefit contributions,
12 wage deductions, and ancillary charges to the Plaintiff Trust Funds under the terms of the Trust
13 Funds' underlying Trust Agreements. The Judgment amount is based on unpaid employer report
14 forms.

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1 This Stipulation is based on representations by the Employer. The Trust Funds and Union
2 have not audited or otherwise verified the accuracy of the Employer's reports of contributions
3 owing. The Employer understands that the Trust Funds and Union therefore reserve the right to
4 pursue additional claims that may be discovered in the future.

5
6 DATED January 3, 2020

DATED January 6, 2020

7 /s Mary L. Stoll

s/ C. Scott Kee

8 Mary L. Stoll, WSBA No. 16446
9 Attorney for Plaintiffs
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1 **ORDER OF JUDGMENT**

2 Pursuant to the foregoing Stipulation by and against Defendant RG Construction, Inc., and
3 otherwise being generally advised, it is hereby

4 **ORDERED** that Plaintiff Trust Funds be awarded Judgment against Defendant RG
5 Construction, Inc., representing delinquent fringe benefit contributions and wage deductions
6 covering the period April 2018 through December 2019 in the amount of \$38,648.62, for the
7 period February 2018 through December 2019 liquidated damages in the amount of \$28,658.98
8 and interest in the amount of \$6,984.12, costs in the amount of \$610.00, and attorney fees in the
9 amount of \$1,000.00, for a total amount owing of \$74,291.72.

10 **IT IS FURTHER ORDERED** that such Judgment be deemed a final Judgment pursuant
11 to CR 54(b) and there is no just reason for delay in entry of such Judgment on Plaintiffs' claim
12 herein.

13 **IT IS FURTHER ORDERED** that if a payroll audit has not been conducted for the time
14 period covered by this Judgment, Plaintiffs reserve the right to later claim additional amounts for
15 the period covered by this Order in the event additional amounts are disclosed in the future.

16 **IT IS FURTHER ORDERED** that this Judgment shall accrue interest on the total unpaid
17 balance at the rate of 1.53 percent (1.53%) per annum.

18 DATED January 14, 2020

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21 MICHELLE L. PETERSON
22 United States Magistrate Judge

1 Respectfully submitted:

Respectfully submitted:

2
3 /s/ Mary L. Stoll

4 Mary L. Stoll, WSBA No. 16446

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